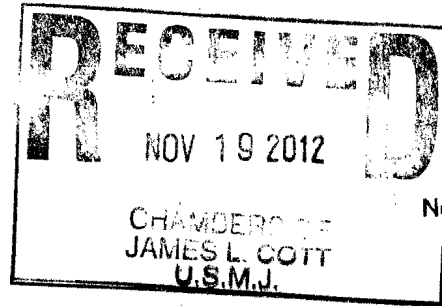


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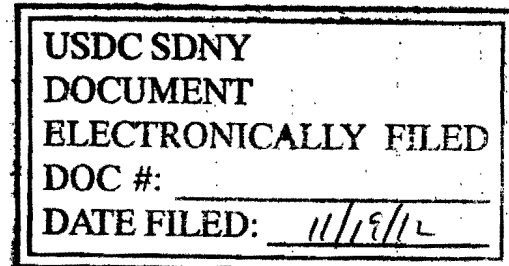


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November 19, 2012

By Fax (212) 805-7990

Hon. James L. Cott
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007



Re: **Marshak v. Schaffner, et al.**
Docket # 11-CV-1104 (DLC) (JLC)

Dear Judge Cott:

We represent Defendants Katherine Schaffner and Vaughn Thornton, as Executor for the Estate of Gladys Horton, in the above-referenced action. We are writing to inform Your Honor that the parties in this action have reached a settlement in principle and are in the process of executing the final settlement agreement. Defendants-Counterclaim Plaintiffs have executed their copies of the agreement, and we are awaiting receipt of a signed copy from Plaintiff-Counterclaim Defendant Larry Marshak. Upon receipt of Mr. Marshak's executed agreement, the parties will file a stipulation of dismissal. Accordingly, the parties respectfully request that the settlement conference scheduled with Your Honor for tomorrow, November 20, 2012, be cancelled. Counsel for Mr. Marshak joins this request.

Respectfully submitted,

Kerren Zinner
Kerren B. Zinner

*The conference is a govt rule
Since due. I will provide
Judge with a copy of
this letter. So ORDERED.*

*James L. Cott
USMJ 11/19/12*